



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Delorme et al.
Serial No.: 09/817,374 Examiner: V. Balasubramanian
Filed: March 26, 2001 Group Art Unit: 1624
Entitled: **INHIBITORS OF HISTONE DEACETYLASE**
Attorney: **INVENTOR**
Docket No.: MET-020US1 (1002/021)

Assistant Commissioner for Patents
Washington, DC 20231

RESPONSE

Dear Sir:

In response to the Office Action mailed September 12, 2002, Applicants hereby elect Group I (Claims 1-4, 6-21, 23-33, 35-39, 42-44, 47-49 and 52-56), with traverse and elect the species of formula 1. Applicants thank Examiner Bala for the telephonic interview of 4 December 2002. Applicants understand from the interview that the Examiner is willing to combine Groups I and II for purposes of examination, and based on this understanding further elect Group II and elect the species of formula 1. Please cancel Claims 5, 22, 34, 40-41, 45-46 and 52-56. Inventorship is not affected by the election of Group I or Group II.

Applicants respectfully submit that that the compounds of the independent claims 1, 18 and 31 do not lack a common core. Each of these claims recites a common core Cy, which is defined as "cycloalkyl, aryl, or a radical of a heterocyclic moiety, any of which may be optionally substituted." Applicants respectfully submit that this common core should allow common searching without undue burden. Applicants further note that each of Groups I-XI share the common class 514. In addition, Groups III, V and X each share the common class 548, at least justifying examination of Groups III, V and X together. Further, Groups I and II share the common class 549, at least justifying examination of Groups I and II together. Finally, Groups VI, VII, VIII and IX share the common class 544, at least justifying examination of Groups VI, VII, VIII and IX together. Applicants respectfully request that the Examiner consider combination of Groups I-XI, or at least one of the sub-combinations described above.

#9
TECH CENTER 1600/2900

DEC 20 2002

RECEIVED

Serial No. 09/817,374

Page Two

Respectfully submitted,

Dated: 12/09/02

W. A. Keown

Wayne A. Keown, Ph.D.
Registration No. 33,923
Attorney for Applicants

Keown & Associates
500 West Cummings Park
Suite 1200
Woburn, MA 01802
781-938-1805